



Attorney Docket No. JSD-5657 (1417Y P 477)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent Application Of:

JAMES E. KIPP, et al.

Application No. 09/874,637

Confirmation No. 5102

Filed: June 5, 2001

For: MICROPRECIPITATION METHOD FOR  
PREPARING SUBMICRON SUSPENSIONS

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)  
)  
) Group Art Unit: 1615  
)  
)  
) Examiner: Unassigned  
)  
)  
)

**RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS**

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

This is in response to the Notice to File Corrected Application Papers mailed August 6, 2001.

The period of time to correct the informalities was set to expire on October 6, 2001. However, a Petition for a Four Month Extension of Time and the requisite fee are accompanied herewith, making this Response due by February 6, 2002. Therefore, this Reply is considered timely filed.

The original specification contained drawings or flow diagrams. A substitute specification having such drawings or flow diagrams removed, but amended to reference the now separated drawing sheets, is now being submitted. No new matter is being added.

Enclosed please find the following:

- Copy of the Notice to File Corrected Application Papers;
- Petition for a Four Month Extension of Time;
- Check in the amount of \$1,440.00 for the petition fee;
- Substitute Specification, containing 25 pages;
- Seven (7) sheets of formal drawings (FIGS. 1-10); and,
- Marked-Up Specification.

Response to Notice to File Corrected Application Papers  
U.S. Application No. 09/874,637  
Attorney Docket No. IDD-5657 (1417Y P 477)

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Please charge any additional fees to Deposit Account No. 23-0280. A duplicate copy of the Communication is enclosed for that purpose.

Respectfully submitted,

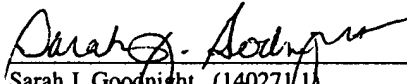
Date: February 6, 2002

By: 

Robert W. Diehl, Reg. No. 35,118  
Wallenstein & Wagner, Ltd.  
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Chicago, Illinois 60606-6622  
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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231 on February 6, 2002.

  
Sarah J. Goodnight (140271.1)



**UNITED STATES PATENT AND TRADEMARK OFFICE**

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
WWW.USPTO.GOV

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/874,637	06/05/2001	James E. Kipp	1417Y P 477

CONFIRMATION NO. 5102

**FORMALITIES LETTER**



\*OC000000006388458\*

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AUG 08 2001

MEDICATION DELIVERY  
PATENTS

COPY OF PAPERS  
ORIGINALLY FILED

Date Mailed: 08/06/2001

**NOTICE TO FILE CORRECTED APPLICATION PAPERS**

***Filing Date Granted***

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- The specification contains drawings or flow diagrams (37 CFR 1.58(a)). Formal drawings in accordance with 37 CFR 1.81 should be submitted.

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
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Bib Data Sheet

CONFIRMATION NO. 5102

<b>SERIAL NUMBER</b> 09/874,637	<b>FILING DATE</b> 03/07/2002 <b>RULE</b>	<b>CLASS</b> 424	<b>GROUP ART UNIT</b> 1615	<b>ATTORNEY DOCKET NO.</b> IDD-5657 (1417Y P 477)	
<b>APPLICANTS</b> James E. Kipp, Wauconda, IL; Joseph Chung Tak Wong, Gurnee, IL; Mark J. Doty, Grayslake, IL; Christine L. Rebbeck, Algonquin, IL;					
<b>** CONTINUING DATA *****</b> THIS APPLN CLAIMS BENEFIT OF 60/258,160 12/22/2000					
<b>** FOREIGN APPLICATIONS *****</b>					
<b>IF REQUIRED, FOREIGN FILING LICENSE GRANTED</b> <b>** 08/06/2001</b>					
Foreign Priority claimed <input type="checkbox"/> yes <input type="checkbox"/> no 35 USC 119 (a-d) conditions <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after met Allowance Verified and Acknowledged <u>                    </u> Examiner's Signature Initials		<b>STATE OR COUNTRY</b> IL	<b>SHEETS DRAWING</b> 7	<b>TOTAL CLAIMS</b> 99	<b>INDEPENDENT CLAIMS</b> 3
<b>ADDRESS</b> MARK J. BUONAIUTO, ESQ. BAXTER INTERNATIONAL INC. LAW DEPARTMENT ONE BAXTER PARKWAY, DF2-2E DEERFIELD, IL 60015					
<b>TITLE</b> Microprecipitation method for preparing submicron suspensions					
<b>FILING FEE RECEIVED</b> 2162	FEES: Authority has been given in Paper No. <u>          </u> to charge/credit DEPOSIT ACCOUNT No. <u>          </u> for following:		<input type="checkbox"/> All Fees <input type="checkbox"/> 1.16 Fees ( Filing ) <input type="checkbox"/> 1.17 Fees ( Processing Ext. of time ) <input type="checkbox"/> 1.18 Fees ( Issue ) <input type="checkbox"/> Other <u>                    </u> <input type="checkbox"/> Credit		